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**UNITED STATES DISTRICT COURT**

for the

District of South Carolina

\_\_\_\_\_  
Clarence T. Fox, Jr

*Petitioner*

v.

\_\_\_\_\_  
Darlene Drew, Warden

*Respondent*

)  
)  
)  
)  
)  
)

Civil Action No. 2:11-cv-94-HFF

**JUDGMENT IN A CIVIL ACTION**

The court has ordered that *(check one)*:

☐ the petitioner *(name)* \_\_\_\_\_ recover from the respondent *(name)* \_\_\_\_\_ the amount of \_\_\_\_\_ dollars (\$\_\_\_), which includes prejudgment interest at the rate of \_\_\_\_ %, plus postjudgment interest at the rate of \_\_\_\_ %, along with costs.

☐ the petitioner recover nothing, the action be dismissed on the merits, and the respondent *(name)* \_\_\_\_\_ recover costs from the petitioner *(name)* \_\_\_\_\_.

☒ other: The Report and Recommendation of Magistrate Judge Robert S. Carr is accepted. This case is dismissed without prejudice and without issuance and service of process. A certificate of appealability is denied. The petitioner shall take nothing on his petition filed pursuant to Title 28 U.S.C. § 2241.

This action was *(check one)*:

☐ tried by a jury, the Honorable \_\_\_\_\_ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable \_\_\_\_\_ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable Henry F. Floyd, United States District Judge.

Date: April 26, 2011

*CLERK OF COURT*

\_\_\_\_\_  
s/H. Hillman

*Signature of Clerk or Deputy Clerk*